

# HOUSE BILL No. 1661

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-17-15.

**Synopsis:** Manufactured gas product burn facilities. Prohibits the incineration of manufactured gas product residue unless a person has a hazardous waste permit, is burning residue the person is responsible for cleaning up, or has permission from the county executive. Makes conforming changes.

**Effective:** June 30, 1998 (retroactive).

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**Smith M**

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January 21, 1999, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1661

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A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 13-11-2-6 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JUNE 30, 1998 (RETROACTIVE)]: Sec. 6.  
3       "Air pollution control laws" refers to IC 13-17, except for the  
4       following:

- 5           (1) IC 13-17-3-15.
- 6           (2) IC 13-17-7.
- 7           (3) IC 13-17-8-10.
- 8           (4) IC 13-17-9.
- 9           (5) IC 13-17-10.
- 10          (6) IC 13-17-11.
- 11          (7) IC 13-17-13.
- 12          **(8) IC 13-17-15.**

13       SECTION 2. IC 13-11-2-71 IS AMENDED TO READ AS  
14       FOLLOWS [EFFECTIVE JUNE 30, 1998 (RETROACTIVE)]: Sec. 71.  
15       "Environmental management laws" refers to the following:

- 16           (1) IC 13-12-2 and IC 13-12-3.
- 17           (2) IC 13-13.

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- (3) IC 13-14.
- (4) IC 13-15.
- (5) IC 13-16.
- (6) IC 13-17-3-15, IC 13-17-8-10, IC 13-17-10, ~~and~~ IC 13-17-11, **and IC 13-17-15.**
- (7) IC 13-18-12 and IC 13-18-15 through IC 13-18-20.
- (8) IC 13-19-1 and IC 13-19-4.
- (9) IC 13-20-1, IC 13-20-2, IC 13-20-4 through IC 13-20-15, and IC 13-20-18 through IC 13-20-21.
- (10) IC 13-22.
- (11) IC 13-23.
- (12) IC 13-24.
- (13) IC 13-25-1 through IC 13-25-5.
- (14) IC 13-30, except IC 13-30-1.

SECTION 3. IC 13-11-2-129.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 1998 (RETROACTIVE)]: **Sec. 129.5. "MGP residue", for purposes of IC 13-17-15, means the residue that remains after manufactured gas product has been incinerated.**

SECTION 4. IC 13-11-2-165 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 1998 (RETROACTIVE)]: Sec. 165. "Pollution control laws" refers to the following:

- (1) IC 13-12-4 and IC 13-12-5.
- (2) IC 13-17, except for the following:
  - (A) IC 13-17-3-15.
  - (B) IC 13-17-7.
  - (C) IC 13-17-8-10.
  - (D) IC 13-17-10.
  - (E) IC 13-17-11.
  - (F) IC 13-17-13.
  - (G) IC 13-17-15.**
- (3) IC 13-18, except for the following:
  - (A) IC 13-18-12 and IC 13-18-13.
  - (B) IC 13-18-15 through IC 13-18-20.
- (4) IC 13-19-2 and IC 13-19-3.
- (5) IC 13-20-16 and IC 13-20-17.

SECTION 5. IC 13-17-15 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 1998 (RETROACTIVE)]:

**Chapter 15. Incineration of Manufactured Gas Product Residue**

**Sec. 1. A person may not incinerate MGP residue unless the person:**



- 1 (1) has a hazardous waste permit issued under IC 13-22-3;
- 2 (2) is responsible for the cleanup of property that contains
- 3 MGP residue and the only MGP residue incinerated at the
- 4 facility is MGP residue that was located on the property
- 5 before the date the person first incinerated MGP residue; or
- 6 (3) has approval from the county executive of the county in
- 7 which the incinerator is located.

8 SECTION 6. An emergency is declared for this act.

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